

# MANATEE COUNTY GOVERNMENT NONCOMPETITIVE INTENT TO AWARD

<b>SUBJECT</b>	Zetag dry polymer for SWWRF	<b>DATE POSTED</b>	MC <u>5/28/15</u> ✓ SE
<b>PURCHASING REPRESENTATIVE</b>	George Earnest CPPB, Buyer, X 3044	<b>DATE CONTRACT SHALL BE AWARDED</b>	Contingent upon the acceptance of Purchasing Official (5 days)
<b>DEPARTMENT</b>	Utilities Department	<b>CONSEQUENCES IF DEFERRED</b>	Inability to remove sludge from SWWRF
<b>SOLICITATION</b>	NC #201500250 Valid 5/28/2015 <i>Task 15/1980</i>	<b>AUTHORIZED BY DATE</b>	George Earnest CPPB, Buyer May 28, 2015 <i>GE</i>

### NOTICE OF INTENT TO AWARD

Noncompetitive Request #201500250 notice of Intent to Award to BASF Corporation for the supply of dry polymer exclusive to the SWWRF.

### ENABLING/REGULATING AUTHORITY

Federal/State law(s), administrative ruling(s), Manatee County Comp Plan/Land Development Code, ordinances, resolutions, policy.

Manatee County Code of Laws, Sections 2-26-40 & 2-26-45

### BACKGROUND/DISCUSSION

- ▶ Zetag dry polymer is used daily for the removal of sludge from the water treatment equipment. This is the only dry polymer that has been tested and approved for the SWWRF. Further testing is impossible at this time due to construction at SWWRF.
- ▶ Manatee County has decided that it is in the county's best interest to rely on the Zetag dry polymer and not experiment with other brands of dry polymer. In the future when the SWWRF construction is complete, an open solicitation will be initiated to accept competitive bids to provide dry polymer that can be tested at the SWWRF.

If a vendor believes this item is not a noncompetitive procurement, Manatee County Purchasing Division requires prospective vendors provide information regarding their ability to supply the commodity or contractual services described prior to the date indicated for "date contract shall be awarded".

<b>ATTACHMENTS</b> (List in order of attached)	<ul style="list-style-type: none"> <li>• Noncompetitive Procurement Request Form</li> </ul>	<b>FUNDING SOURCE</b> (Acct Number & Name)	<input checked="" type="checkbox"/> Funds Verified <input type="checkbox"/> Insufficient Funds
<b>COST</b>	\$37,106.00	<b>AMT/FREQ OF RECURRING COSTS</b> (Attach Fiscal Impact Statement)	None



NC # 201500250

**Sole Source/Noncompetitive Purchasing Request**

CAF

Department: Utilities / SWWRF Contact: Tom Birk Ext: 5179

Purchase Request (PR) Number: R080964 / P1501257 Date: 5/20/2015

Description: (Explain request in detail) Noncompetitive Procurement Request for SWWRF Dry Polymer Zetag #7557 for Sludge Thickening and Dewatering Process (Reference #201400215)

Vendor: BASF Corporation Phone: 800-322-3885 or 856-220-2567 Cost: \$37,106.80

**PART I – SOLE SOURCE PURCHASING** (*Sole source purchasing* is defined as the acquisition of commodities or services where there is only one available source for the required commodity or service. Ex: proprietary software or equipment, copyright)

1. Are these commodities or services only available from one single source?  Yes  No
2. Explain why the commodity/service being requested is the only commodity/service that can meet your needs and why alternatives are unacceptable. Be specific regarding specifications, features, capability, compatibility, etc.
3. Why is this vendor the only source from which to make this purchase? Describe efforts made to verify this information. (Attach sole source letter from vendor as documentation)
4. Explain the consequence to the County or its taxpayers, including a dollar amount of the financial impact, if the sole source purchase is not approved.

**NOTE:** In any case where the County seeks to purchase from a sole source materials for the construction, modification, alteration or repair of any county-owned facility, the Board of County Commission must first make the written findings required by Florida Statutes, Section 255.04.

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**PART II – NONCOMPETITIVE PURCHASING** (*Noncompetitive purchasing* is defined as the acquisition of commodities or services from a unique source or provider based upon particular skills and expertise (Ex: standardization, warranty, compatibility) where other competitive sources may be available; or upon a determination that the likely, non-speculative cost of obtaining competitive quotes would exceed any potential savings and benefit to the County.)

1. ***Explain why the commodity/service being requested is the only commodity/service that can meet your needs and why alternatives are unacceptable. Be specific regarding specifications, features, capability, compatibility, etc.***

This product has been tried, tested and proven acceptable for our Sludge Thickening and Dewatering Process at SWWRF. Other products may be available, but are unuseable without first testing. SWWRF is unable to do testing at this time due to construction.

2. ***Explain the advantages of this noncompetitive purchase on the basis that only one practical source exists. Describe the efforts made to verify this information. (Attach manufacturers or distributorships letter as documentation)***

During the last Polymer trials, BASF had the lowest price per ton cost and was awarded the contract. Other vendors either yielded unsuccessful product results or were unresponsive to the solicitation.

3. ***Will this purchase obligate us to a particular vendor for future purchases, either in terms of maintenance or compatibility should the need arise to purchase a 'like' item in the future?***

No

4. ***Describe your efforts to obtain the best price from the vendor and provide any documentation to substantiate your findings. Give the result of the initial offer versus the final offer.***

As previously stated, only BASF pursued the solicitation with their quote to show for the effort.

5. ***Would you prefer Purchasing to contact vendor for the best price?***  Yes  No

6. ***Explain the consequence to the County or its taxpayers, including a dollar amount of the financial impact, if the noncompetitive purchase is not approved.***

SWWRF must remove sludge on a daily basis with Polymer in order to maintain compliance. If this request is not approved, SWWRF Plant would be compromised being unable to belt press and remove sludge, therefore, putting the plant out of compliance.

I hereby request that a sole source/noncompetitive request be approved for the purchase of the above statement of work, material, equipment, commodity, or service.

*GUS A. DIFONZO*

*Gus A. DiFonzo*

Division Manager's Signature  
(up to \$25,000)

Jeff Goodwin  
Print Name

*5/26/15*  
Date

*[Signature]*

Department Director's Signature  
(Greater than \$25,000)

Mike C. Gore  
Print Name

*5/26/15*  
Date

**FOR PURCHASING DIVISION USE:**

Sole Source:

**Posting:** Categories Three and Four require an electronic posting for a minimum of five (5) business days. Category Five requires BCC approval and will be posted via board agenda for a minimum of seven (7) calendar days prior to board meeting.

Noncompetitive:

**Posting:** Category Three requires an electronic posting for a minimum of five (5) business days prior to award. Categories Four and Five require BCC approval and will be posted via board agenda for a minimum of seven (7) calendar days prior to board meeting.

Reviewed and Approved by:

*George Earnest*  
*George Earnest*

Buyer Name / Date  
(up to \$100,000)

Contracts/Buyer Manager / Date  
(up to \$250,000)

Purchasing Official / Date  
(Greater than \$250,000)